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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

STANLEY, MARK P

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

08/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/797,563	Applicant(s) JUNG ET AL.	
	Examiner MARK P. STANLEY	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 40,52,54,56,60 and 61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 40,52,54,56,60 and 61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/2/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Miscellaneous

1. This action is in response to the RCE filed on 7/31/2008 and amendment filed 7/7/2008.
2. Claims 40, 52, 54, 56, and 60-61 are pending in the application. Claims 40, 52, 56 have been amended.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/06/2008 has been entered.

Response to Arguments

4. Applicant's arguments filed 7/7/2008 with respect to claims 40, 52, 54, 56, and 60-61 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2623

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 40, 52, 54, and 60-61 are rejected under 35 U.S.C. 102(b) as being anticipated by Nonomura et al. (US 5,915,067 A hereinafter Nonomura).

Regarding claim 40, Nonomura discloses “an information storage medium, comprising:

at least one title which is reproduced as a motion picture and has title identification information used for a title search; and” (col. 10 lines 21-23 and 48-60, col. 19 lines 18-35, a 'video title set' with 'video title set management information' selected via search using volume menu)

“title information, which corresponds to the at least one title,” ('video title set management information')

“wherein the title information comprises title access type information indicating whether title reproducing by the title search to the corresponding title is permitted” (col. 19, lines 42-45, col. 20 lines 66-67, Figs. 5 and 7, 'video title set management information' contains 'program chain information' with assigned 'level ID', where it is necessary the assigned level ID to be at least at the level ID currently used by the reproducing device for properly accessing the 'video title set' selected via the title search via volume menu).

Regarding claim 52, the Nonomura discloses “a reproducing apparatus supporting title reproducing by a title search using an information storage medium, comprising:

a reader which reads titles, each of the titles having title identification information used for the title search, and title information corresponding to the respective titles from the information storage medium; and” (Figs. 13A, 13B, item 82 the optical pick up is the reader)

“a title reproducing manager which determines whether to reproduce the titles designated by the title search based on the title information,” (Fig. 13B item 93, (‘video title set management information’ used by control unit to determine reproduction)

“wherein the title information comprises title access type information indicating whether title reproducing by the title search to the corresponding title is permitted.” (col. 18, lines 9, 28, col. 19, lines 42-45, col. 20 lines 66-67, Fig. 13B, where the system control unit receives title management information read from the disc, the given information determining a user’s ability to access titles on the disc including reproducing via title search)

Regarding claim 54, the Nonomura discloses “the reproducing apparatus of claim 52, wherein the title reproducing manager interprets startup information from the title information and decodes one of the titles corresponding to the startup information first” (col. 19, lines 8-21).

Regarding claims 60-61, Nonomura discloses “wherein the title search to the title is permitted when a value of the access type information is 0, and the user operation to the title is prohibited when the value of the access type information is 1” (col. 19, lines 42-45, Figs. 5 and 7, stored in ‘video title set management information’ contains program chain information with assigned ‘level ID’, where it is necessary an assigned level ID to at least be at a level ID currently used by the reproducing device for properly accessing the title via the title search, and where the number of level IDs can be a varying number as described in col. 24, lines 12-32, hence if there are only two level IDs used, as null or 1, where null is representative of 0 giving permission and 1 giving restriction).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nonomura et al. (US 5,915,067 A hereinafter Nonomura) in view of Kanazawa et al. (US 6,580,870 B1 hereinafter Kanazawa)

Regarding claim 56, Nonomura discloses “the apparatus of claim 54, wherein the title reproducing manager comprises:

“a program engine decoding the program data and executing program commands from the decoded program data;

a navigation engine decoding navigation commands in the titles and the title information;” (col. 18, lines 9, 28, col. 19, lines 22-35, Fig. 13B, item 93 the system control unit)

“a presentation engine decoding the AV data; and” (Fig. 13B, item 85)

“an application manager controlling reproduction of the titles based on whether a portion of each title is startup information, core mode data, or full mode data and user input when the attribute information designates that the respective title is controllable by the user.” (col. 18, lines 9, 28, col. 19, lines 22-35, Fig. 13B, item 93 the system control unit, where full mode data does not include browsing data)

But, Nonomura does not explicitly disclose the use of an application manager that controls full mode data with browsing data or a browsing engine, Kanazawa does disclose the use of “a browsing engine decoding the browsing data and executing browsing commands from the decoded browsing data” (col. 11, lines 11-15, Fig. 16, item 117) and the manager for controlling information (Fig. 16, item 201).

However, it would have been obvious to one of ordinary in the art at the time the invention was made to have been motivated to combine the reproduction apparatus of Nonomura with that of Kanazawa containing a browsing engine and control browsing data for internet browsing. One would have been motivated to do so for an improved interactivity and access of information with the medium for reproducing by providing internet browsing capabilities.

Contacts

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK P. STANLEY whose telephone number is (571)270-3757. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark P Stanley/
Examiner, Art Unit 2623

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623